

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

MARY LOU REDDEN,

Plaintiff,

v.

CIVIL ACTION NO. 5:14-cv-04452

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

MEMORANDUM OPINION AND ORDER

By *Standing Order* (Document 4) entered on February 2, 2014, this action was referred to the Honorable Dwane L. Tinsley, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). On April 15, 2014, the Magistrate Judge submitted a *Proposed Findings and Recommendation* (Document 9) wherein it is recommended that this Court grant the *Defendant's Motion to Remand* (Document 8) and remand the case to the Commissioner pursuant to the sixth sentence of 42 U.S.C. § 405(g), for further proceedings as outlined in the Defendant's motion. Objections to the Magistrate Judge's *Proposed Findings and Recommendation* were due by May 2, 2014.

Neither party has timely filed objections to the Magistrate Judge's *Proposed Findings and Recommendation*. The Court is not required to review, under a *de novo* or any other standard, the

factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149-50 (1985); *see also Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983) (holding that districts courts may adopt proposed findings and recommendations without explanation in the absence of objections).

Accordingly, the Court **ADOPTS** and incorporates herein the findings and recommendation of the Magistrate Judge, and **ORDERS** that the *Defendant's Motion to Remand* (Document 8) be **GRANTED** and that this case be **REMANDED** to the Commissioner pursuant to the sixth sentence of 42 U.S.C. § 405(g), for further proceedings as outlined in the Defendant's motion.

The Court **DIRECTS** the Clerk to send a certified copy of this *Memorandum Opinion and Order* to Magistrate Judge Tinsley, counsel of record, and any unrepresented party.

ENTER: May 6, 2014


IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA